



**MINUTES OF THE SPECIAL JOINT MEETING
OF THE CITY COUNCIL/REDEVELOPMENT
AGENCY OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 25, 2000, 8:00 p.m.

MEETING

The Special Meeting of the City Council/Redevelopment Agency was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Rodriquez.

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR/CHAIR Cooper
Absent: None

PRESENTATIONS: Pride in Hayward Awards

The following Eden Garden residents were honored with the Pride in Hayward Award for the month of April: Alfred and Mary Peter, the Hara family, William and Laura Long, Victor and Nancy Cabral, and Charles and Dolores Abate.

Related to the Drug and Alcohol Resistance Education (D.A.R.E.) Program

Mayor Cooper recognized Community Contributions to the Hayward Drug and Alcohol Resistance Education (D.A.R.E.) Program. She presented a plaque to Mr. Ishii, President of New United Motors, Inc., for contributing a 1999 Toyota Tacoma Truck to this program. Also she recognized Leer Truck Tops for donating a pick-up truck camper shell. Robert Manuel, shop supervisor for Tommy's Auto Body shop accepted a plaque for providing the space to paint the vehicle. Mike Farley, owner of Mike Farley's Signs was also awarded for creating and painting the original D.A.R.E. design. Mayor Cooper thanked them for the strong community support towards this very important program geared toward school children.

PUBLIC COMMENTS

Jason Moreno, 25200 Carlos Bee Blvd., commented that he plans to announce who contributed to the financial campaigns of the incumbents.

Henry G. Villalobos, 584 Ainslee Court, urged Council support towards the amended SB 984 relating to a holiday in honor of Cesar Chavez. He reported that a Federal resolution in favor of this holiday is being considered in Washington, D.C. He also reported that on behalf of the Native American Committee, he has asked Congressman Stark to introduce in Congress to seek assistance from the Department of Interior, Bureau of Indian Affairs. He stated that his organization is a non-profit corporation based in Hayward. He invited all to the Cesar Chavez Walk at Dolores Park in San Francisco this weekend. Lastly, he stated that he has started a petition to ask the State for

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recognition for Hispanics whose primary roots are Native American.

Francisco Abrantes, 22815 Alice Street, spoke strongly against excess spending on various City projects.

CONSENT

Items 2, 5, 6 and 7 were pulled for further discussion.

1. Approval of Minutes
 - a. City Council Meeting of April 4, 2000
 - b. City Council Meeting of April 18, 2000

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to approve the Minutes of the Meeting of the City Council of April 4, 2000.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to approve the Minutes of the Meeting of the City Council of April 18, 2000.

2. Clawiter Road Corridor Project Design: Authorization for Execution of an Agreement for Professional Services

Staff report submitted by Deputy Director of Public Works Bauman, dated April 25, 2000, was filed.

Deputy Director of Public Works Bauman made a brief summary noting that this is a professional services agreement. This project will provide three new signals along Clawiter Road to improve circulation. It will also improve pedestrian traffic, as it will provide sidewalks along this industrial corridor. The entire project is funded by federal and state funds under the T-21 program. He responded to questions and affirmed that synchronization of signals during peak hours will occur. He noted that the Whitesell and Clawiter interchange would be improved.

It was moved by Council Member Henson, seconded by Council Member Ward, and unanimously carried to adopt the following:

Resolution 00-053, "Resolution Authorizing the City Manager to Execute an Agreement Between the City of Hayward and Kimley-Horn & Associated, Inc., for Professional Services for the Clawiter Road Corridor Project, Project No. 5196"

3. Consolidated Landscaping and Lighting District No. 96-1, Zones 1-9 – Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set June 20, 2000 as the Public Hearing Date



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Staff report submitted by Planning Manager Anderly, dated April 25, 2000, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-050, "A Resolution of Intention Directing Preparation of Engineer's Report for Consolidated Landscaping and Lighting Assessment District No. 96-1, as LLD 96-1, Zones 1-9, Preliminarily Approving Engineer's Report, Declaring Intention to Levy of Assessments for the Fiscal Year 2000-2001, and Providing for Notice of Hearing"

Resolution 00-51, "Resolution Ordering the Formation and Annexation of Property Contained in Tract 7063 to Consolidated Landscaping and Lighting Assessment District No. 96-1, as LLD 96-1, Zone 9 (Orchard Avenue LLD No. 96-1, Zone 9), Approving the Engineer's Report, Confirming the Assessment Diagram, Assessment in Connection Therewith And Levy of Assessment for the 2000-2001 Fiscal Year"

4. Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit – Pacheco Way, Stratford Road and Ruus Lane – Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set June 20, 2000 as the Public Hearing Date

Staff report submitted by Planning Manager Anderly, dated April 25, 2000, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-052, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2000-2001, and Setting June 20, 2000 as the Public Hearing Date Concerning Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road, and Ruus Lane (MD #1)"

5. Supplemental Appropriation Related to the Purchase of Lap Top Computers for Use in Police Vehicles

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Staff report submitted by Police Detective Cardes, dated April 25, 2000, was filed.

Police Chief Calhoun made a brief summary stating that the appropriation is for a sum of \$255,550 for the remote access program. A portion of that sum is funded by a grant from the Office of Criminal Justice Planning for a technology equipment purchase program that will be used to purchase 60 lap tops for officer use. His department was congratulated for receiving the grant. He recognized staff analyst, Bob Davis, who prepared the grant application.

Council Member Jimenez expressed concern regarding safety when the laptops are used while driving. Police Chief Calhoun assured him that there is a policy that directs the officers to pull off the road when using such equipment. He reported that the new laptops have touch screens.

Council Member Ward inquired on the future use of voice recognition software. It was noted that the Orion System presently used by the department provides for that use and presently there are some police workstations with that feature.

Jason Moreno, 25200 Carlos Bee Blvd., commented on the use of a keyboard while driving and asked for additional information on the funding.

It was moved by Council Member Jimenez, seconded by Council Member Ward, and unanimously carried to adopt the following:

Resolution 00-054, "Resolution Amending Resolution 99-108, as Amended, the Budget Resolution for Fiscal Year 1999-00, Relating to the Supplemental Appropriations of Funds for Police Department Remote Access Project"

6. Request to Local Area Formation Commission (LAFCo) for a Six Month Time Extension to Complete The Annexation of the Oliver East Property

Staff report submitted by Neighborhood and Economic Development Manager Bauman, dated April 25, 2000, was filed.

Neighborhood and Economic Development Manager Bauman provided a summary stating this a request for an extension that is supported by the Alameda County Water District. Staff is currently negotiating to develop a hazardous materials agreement and to complete the revisions to the well regulations.

Jason Moreno, 25200 Carlos Bee Blvd., commented that he was not familiar with this subject and was satisfied with the report provided.

It was moved by Council Member Ward, seconded by Council Member Dowling, and unanimously carried to adopt the following:



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Resolution 00-055, "Resolution Authorizing the Filing of a Request for Extension of Time to Comply with the Requirements of Alameda County Local Agency Formation Commission Resolution No. 99-08 Conditionally Approving the Reorganization of the "Oliver East" Property Located in the South of 92 Planning Area"

7. Renewal of Hayward Area Shoreline Planning Agency (HASPA) Joint Exercise of Powers Agreement

Staff report submitted by Senior Planner Calame, dated April 25, 2000, was filed.

Senior Planner Calame made a brief report on the extension for the joint powers agreement, which will expire on July 1 of this year. The proposed renewal would extend this authority until July 1, 2005. In keeping with past practice, there will be a shifting to make this City's representative the Chair and provide staff support.

Janice Delfino, 18673 Reamer Road, Castro Valley, HASPA Citizen's Advisory Committee member, spoke in support of the renewal and enumerated HASPA accomplishments and improvements along the Hayward Shoreline that includes trails for hikers and bicycles and the interpretative center. She urged Council to approve the renewal. She commented that Cargill Salt would be selling its Baumberg parcel.

Viola Saima-Barklow, 1210 Tiegen Drive, also a member of the advisory committee, named the other agency members that have renewed participation. She complimented Hayward for its efforts in supporting HASPA.

Council Member Hilson, the City's representative on HASPA, commented favorably on its progress. He reported that to better serve, and in an effort toward community outreach, meetings will be conducted in the City's Council Chambers and be televised.

It was moved by Council Member Hilson, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-056 "Resolution Authorizing the City Manager to Execute an Agreement Between the City of Hayward, East Bay Regional Park District, Hayward Unified School District, and Hayward Area Recreation District Relating to Renewal of the Hayward Area Shoreline Planning Agency Joint Exercise of Powers Agreement"

LEGISLATIVE BUSINESS

8. Selection of Artist and Mural Design for the Civic Center Parking Structure

Staff report submitted by Administrative Analyst II Sallie Melendez, for April 25, 2000, was filed.

Administrative Analyst II Sallie Melendez presented the role of the committee formed for this project and the process that was utilized by the Arts Ad Hoc Committee to complete the recommended selections. She reported that at the end of the preliminary selection process, Committee members agreed that the final four were the most outstanding submitted. She presented the recommendation from that Committee. The John Pugh art proposal is recommended for the Watkins Street wall and the John Wehrle art is recommended to be placed on the Mission Boulevard side of the structure.

There was discussion on the weather implications and how it could impact the project. It was noted that the budget for this art would not exceed \$38,000. It was noted that a recommendation by the committee would be to place information at each artwork site as well as artist information.

Council Member Hilson commented that when he first made this suggestion, he favored a competitive process. He was somewhat disappointed with the lack of three-dimensional artwork. He thanked staff and the committee for developing the community process.

Mayor Cooper opened the public hearing at 8:47 p.m.

Ken Cook, 2712 Somerset Avenue, Castro Valley, commended former Assistant City Manager Anderson as well as Sallie Melendez for excellent staff work. He recommended additional public art be placed in a park near the Foothill entrance and at the parking garage entrance.

Barbara Halliday, 25164 Lindenwood Way, agreed that staff was excellent through this process. She noted that she was pleased with the submittals. She felt that this process could serve as a good model for future art projects.

D.J. Evans, 361 Bristol Blvd., San Leandro, asked how many comments were received and whether there were plans to light the mural. Staff responded that there were over 180 comment sheets submitted during the public comment period.

Mayor Cooper closed the public hearing at 9:05 p.m.

Council commended staff and the Arts Ad Hoc Committee for their arduous efforts to provide quality art in Hayward and suggested that it be used in the future in order to expose both art and artists to this community.

It was moved by Council Member Hilson, seconded by Council Member Rodriquez, and unanimously carried by all present, to accept the recommendation of the Arts Ad Hoc Committee



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that selects the artwork by John Pugh for the Watkins Street wall and the artwork of John Wehrle on the Mission Boulevard side.

Mayor Cooper presented each of the members of the City of Hayward Arts Ad Hoc Committee Community with a Certificate of Appreciation for their dedicated efforts. Members included Karima Clay, Ken Cook of Castro Valley, Skip Esquiedo and Bea Hocker of San Lorenzo, the late Alwine Fenton, Barbara Halliday, and Maria Ochoa.

Council Member Rodriguez expressed appreciative thoughts and commended the work of Alwine Fenton, who was a "mover and shaker" of art for Hayward.

9. Resolution Authorizing the Execution of an Agreement to Negotiate Exclusively with Civic Center Commercial for the Development of an Office Building Adjacent to City Hall

Staff report submitted by Executive Director Armas, dated April 25, 2000, was filed.

Executive Director Armas presented the staff recommendation, noting the site location in relation to the surrounding landmarks. He noted past discussions on the master plan that included a county building at that site, which is approximately 32,000 square feet. He pointed out that the exclusive negotiating agreement is with City Center Commercial to explore the feasibility of constructing an office building. There are site constraints that limit the size of the office building. A three-storied building of 40,000 to 50,000 square feet is anticipated. The objectives for this office building include introducing consumers to the downtown, creating revitalization for the downtown, as well as taking advantage of public transportation. The Agency will negotiate with City Center Commercial concerning land price, design and environmental issues. If the conclusion is satisfactory, a land use application will be submitted. In addition, the Agency will consider a disposition and development agreement to convey the land to the developer.

Council/RA Member Ward asked that staff comment on the responses received when the Agency placed an RFP over two years ago.

Executive Director Armas stated that only two responses were received. There is currently an exploration for Hayward to be an office destination. The eleven-story building is currently being retrofitted. Staff believes that this project could serve as a catalyst to present Hayward as an office location. He noted the new office building under construction by the County at Amador and Winton Avenue.

Council/RA Member Ward felt that this is a great opportunity to increase downtown activity.

Council/RA Member Henson expressed concern on several environmental issues.

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Executive Director Armas indicated that traffic generation would need to be reviewed. This project will especially attract the use of public transit. Additionally, there is the possibility of taking advantage of the parking structure at Watkins.

Council/RA Member Henson inquired about CEQA requirements that still need to be mitigated.

Council/RA Member Hilson realized that this is an agreement to explore, but did express recommendations on the footprint of the building. He suggested that it be closer to Bart and B Street in order to maximize the amount of space and allow for a corridor to exist and to maintain an openness in that area as well as have setbacks to complement this building. He emphasized the importance of not overpowering this building. He shared the need to maintain a shared goal on this project site.

Council/RA Member Jimenez stated that the developer, City Center Commercial is a quality development company. He questioned whether 120 days would be sufficient time to negotiate.

Executive Director Armas indicated that intentionally there is no design because the developer will need to submit an application for review by the Planning Commission and both the City Council and the Agency. He felt that much could be accomplished within the time slated.

Redevelopment Agency Chair Cooper opened the public hearing at 9:25 p.m.

Douglas Kring, 2704 Ocala Street, commented on the beauty of the City Hall from the Bart side and how other entrances to the City are less attractive. He strongly opposed development on this parcel.

Ramon Parada, 22170 Montgomery Street, urged that further consideration be made to place the office building at another location. He preferred that area be kept open space.

Bradley Hongsermeier, 626 Atherton Place, spoke in support of maintaining the grass area and its present open space use.

Jason Moreno, 25200 Carlos Bee Blvd., spoke on the financial contributions of this development company to current council members.

Margie Eriksson, President of the Atherton Town Homeowners Association, spoke against the proposed development. She suggested that the parcel on Montgomery and A Street be purchased in order to build a larger building.

Pat Kellner, 614 Atherton Place, urged a no vote to the proposed three-story building that will hide this beautiful city hall.

D.J. Evans, 361 Bristol Blvd., San Leandro, suggested that an adult school with a library extension be placed at this location.



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Henry G. Villalobos, 584 Ainslee Court, spoke in favor of this building.

Francisco Abrantes, 22815 Alice Street, commented on the property site and its sale.

Mayor/Chair Cooper closed the public hearing at 9:45 p.m.

Council/RA Member Dowling stated that this City has made a big commitment to maintain open space in the downtown. He cited examples as the Newman Park and Giuliani Plaza, as well as Library Plaza that are beautiful and open. He reminded the public that the City has gone out twice to solicit office development and no response. He reported that Redevelopment Agency funds are purposed for revitalizing the core area, not open space. A critical mass is needed to aid in that revitalization. As was reported earlier, this has been a temporary open space area, not a permanent park. He commented that the City has done "too good" of a job in maintaining this lawn area. He moved the recommendation.

Council/RA Member Ward seconded the motion.

Council/RA Member Henson also seconded the motion, stating that homeowners and office workers will benefit the downtown merchants. He asked for clarification on the environmental issues involved. It was noted that necessary work needs to be completed to protect the visual corridor of the area and address the expressed concerns. He agreed that this was a temporary open space area.

Council/RA Member Ward encouraged staff to look very carefully at the BART parking structure and the possibility of adding to that structure.

Council/RA Member Rodriguez reiterated that the green space, although very beautiful, was originally designated for a building.

Mayor/Chair Cooper stated that she supports the motion and explained that the reason the lawn area was installed over the vacant parcel so that there would not be simply a pile of dirt. Now with the favorable economy there is opportunity for this project as previously included in the Master Plan for the downtown. The office building will be open to the public for business. Lastly, she stated that there is still ample open space on the other end of the City Hall in the amphitheater where the Russell City Blues Festival will be held this summer.

It was moved by Council/RA Member Dowling, seconded by Council/RA Members Ward, Jimenez and Henson, and unanimously carried by all present, to approve the following:

RA Resolution 00-09, "Resolution Authorizing the Executive Director to Execute an Exclusive Negotiating Agreement with City Center Commercial"

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COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper adjourned at 10:02 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair of the Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Agency Secretary